

AMENDED IN ASSEMBLY MAY 27, 2011

AMENDED IN ASSEMBLY APRIL 13, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 516

Introduced by Assembly Member V. Manuel Pérez
(Coauthors: Assembly Members Buchanan, Dickinson, Eng,
***Fuentes, and Solorio*)**

February 15, 2011

An act to amend Section 2333.5 of the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 516, as amended, V. Manuel Pérez. Safe routes to school.

Existing law requires the Department of Transportation, in consultation with the California Highway Patrol, to establish and administer a “Safe Routes to School” program for construction of bicycle and pedestrian safety and traffic calming projects, and to award grants to local agencies in that regard from available federal and state funds, based on the results of a statewide competition. Existing law requires the department to rate proposals submitted by applicants using specified factors. One of the factors relates to consultation of and support for projects by school-based organizations, local traffic engineers, local elected officials, law enforcement agencies, school officials, and other relevant community stakeholders.

This bill would delete that factor and instead substitute a factor relating to use of a specified public participation process, with involvement by the public, schools, parents, teachers, local agencies, the business community, key professionals, and others, which process identifies

community priorities and ensures those priorities are reflected in the proposal, and secures support for the proposal by relevant community stakeholders. The bill would add another factor relating to benefit of a proposal to a low-income school, as defined, and would make other related changes.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 2333.5 of the Streets and Highways Code
- 2 is amended to read:
- 3 2333.5. (a) The department, in consultation with the
- 4 Department of the California Highway Patrol, shall establish and
- 5 administer a “Safe Routes to School” construction program for
- 6 construction of bicycle and pedestrian safety and traffic calming
- 7 projects.
- 8 (b) The department shall award grants to local governmental
- 9 agencies, including school districts, under the program based on
- 10 the results of a statewide competition that requires submission of
- 11 proposals for funding and rates those proposals on all of the
- 12 following factors:
- 13 (1) Demonstrated needs of the applicant.
- 14 (2) Potential of the proposal for reducing child injuries and
- 15 fatalities.
- 16 (3) Potential of the proposal for encouraging increased walking
- 17 and bicycling among students.
- 18 (4) Identification of safety hazards.
- 19 (5) Identification of current and potential walking and bicycling
- 20 routes to school.
- 21 (6) Use of a public participation process, including, but not
- 22 limited to, a public meeting that satisfies all of the following:
- 23 (A) Involves the public, schools, parents, teachers, local
- 24 agencies, the business community, key professionals, and others.
- 25 (B) Identifies community priorities and gathers community
- 26 input to guide the development of projects included in the proposal.
- 27 (C) Ensures that community priorities are reflected in the
- 28 proposal.
- 29 (D) Secures support for the proposal by relevant stakeholders.

1 (7) Benefit to a low-income school, defined for purposes of this
2 section to mean a school where at least 75 percent of students are
3 eligible to receive free or reduced price meals under the National
4 School Lunch Program.

5 (c) Any annual budget allocation to fund grants described in
6 subdivision (b) shall be in addition to any federal funding received
7 by the state that is designated for “Safe Routes to School” projects
8 pursuant to Section 1404 of SAFETEA-LU or any similar program
9 funded through a subsequent transportation act.

10 (d) Any federal funding received by the state that is designated
11 for “Safe Routes to School” projects shall be distributed by the
12 department under the competitive grant process, consistent with
13 all applicable federal requirements.

14 (e) Prior to the award of any construction grant or the
15 department’s use of those funds for a “Safe Routes to School”
16 construction project encompassing a freeway, state highway, or
17 county road, the department shall consult with, and obtain approval
18 from, the Department of the California Highway Patrol, ensuring
19 that the “Safe Routes to School” proposal complements the
20 California Highway Patrol’s Pedestrian Corridor Safety Program
21 and is consistent with its statewide pedestrian safety statistical
22 analysis.

23 (f) The department is encouraged to coordinate with law
24 enforcement agencies’ community policing efforts in establishing
25 and maintaining the “Safe Routes to School” construction program.

26 (g) In the development of guidelines and procedures governing
27 this program, the department shall fully consider the needs of
28 low-income schools, ~~including, but not limited to, waiving the~~
29 ~~10-percent or other applicable cost share for low-income schools,~~
30 ~~or the use of any additional evaluation criteria.~~